

PLATTSMOUTH CITY COUNCIL

March 1, 2010

A meeting of the City Council of the City of Plattsmouth, Nebraska was convened in open and public session at 7:00 o'clock p.m. on March 1, 2010 at the City Hall in Plattsmouth Nebraska. Present were Council Members: John Porter, Mike Bowman, Terry Tilson, Ruth Wassinger, Rod Jenkins and Doug Derby. Also present: City Administrator Erv Portis, City Clerk Sandra J. Meyer, City Treasurer Peggy Wilsey and City Attorney Roger Johnson.

Notice of this meeting was given in advance by publication in the Plattsmouth Journal. Proof of publication along with the Mayor and Council's Acknowledgment of Receipt of Notice are on file. All proceedings hereafter shown were taken while the convened meeting was open to the public.

The Pledge of Allegiance was recited.

Mayor Lambert publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act and a copy of all documents being discussed at the meeting were available for inspection and indicated the location of such copies in the room where the meeting was being held.

7:02 Council Member Kerns arrived.

CITIZEN'S DELEGATION:

Greg Clifton, Rescue Captain stated that the State Re-inspection was done on Sunday, February 28, 2010 and that the Rescue definitely received a pass with 15 out of 17. Clifton requested that the Council reinstate the Plattsmouth Volunteer Rescue for service. Mayor Lambert indicated that this would need to be an agenda item at the next Plattsmouth City Council meeting on March 15, 2010.

MAYOR PROCLAMATION

Mayor Lambert proclaimed March 29, 2010 as "Felicia Ibero Day" in recognition of her 100th Birthday

CONSENT AGENDA:

Motion by Tilson, seconded by Derby to approve the consent agenda as presented:

- A Consider approval of February 15, 2010 City Council Meeting Minutes
- B Receive Housing Authority-City of Plattsmouth Annual Financial Statement
- C Consider recommendation for approval of a Special Designated License filed by Knights of Columbus for April 17, 2010 for a Fund Raiser at 502 South 18th Street, Plattsmouth from 12:00 a.m. (noon) to 12:00 p.m. (midnight)
- D Consider recommendation for approval of a Special Designated License filed by Church of the Holy Spirit for April 24, 2010 for a Fund Raiser at 520 South 18th Street, Plattsmouth from 5:00 p.m. to 12:00 a.m.
- E Consider approval of claims

CLAIMS REGISTER REPORT

Please note these are GROSS SALARIES 2/15/10 not Net as before.

General Admin 13,989.42

Humane 1080.00

Police 32,281.51

Street 11,843.45

Public Library 6,695.03

Parks

Oakhill Cemetery 1,493.10

Community Center 10,024.44

Senior Center 1,790.28

Pool

Sewer 4,148.94

Water 7,999.31

TOTAL SALARIES 91,345.48

Various

AMERICAN FAMILY LIFE	24.10
BLUE CROSS BLUE SHIELD	30,954.61
CENTRAL UNITED LIFE INSU	98.65
PLATTSMOUTH STATE BANK	5,435.62
THE UNION CENTRAL LIFE I	155.02

GENERAL ADMINISTRATION

BLUE CROSS BLUE SHIELD	422.30
C & L CLEANING	150.00
CHARTER BUSINESS	40.00
D & D LASER INC	111.90
DELTA DENTAL PLAN	306.00
DOLLAR GENERAL	2.00
EGAN SUPPLY CO	393.90
FIRST BANKCARD	4.77
J P COOKE COMPANY	165.90
KENNEDY STORAGE	50.00
MIKE'S WINDOW SERVICE	160.00
NEBRASKA CITY UPHOLSTERY	3232.00
PITNEY BOWES INC.	145.00
PITNEY BOWES PURCHASE PO	2,018.99
PLATTSMOUTH STATE BANK	84.61
VERIZON WIRELESS	106.00
WELLS FARGO FINANCIAL LE	177.49

HUMANE/CODE ENFORCEMENT

VERIZON WIRELESS 53.00

RESCUE SQUAD

BLACK HILLS ENERGY 470.35
EMS BILLING SERVICES INC 123.05
FIRE GUARD 188.00
LINWELD 182.40
MULLENAX AUTO SUPPLY 29.96
PAMIDA DISCOUNT CENTER 517.94
UNMC PHYSICIANS 105.00
UNMC PHYSICIANS GROUP 3 18.00

POLICE

BLACKHAWK PRODUCTS 44.41
DELTA DENTAL PLAN 711.50
FIRST BANKCARD 30.10
FRATERNAL ORDER OF
POLICE 390.00
VERIZON WIRELESS 318.00

STREET

BADGER BODY & TRUCK EQUI 159.40
BLACK HILLS ENERGY 770.36
BOMGAARS SUPPLY 37.97
DELTA DENTAL PLAN 294.80
DIESEL SPECIALTIES OF OM 180.55
FARM PLAN 250.10
FIRST BANKCARD 11.04
JODY'S COLLISION REPAIR 607.25
KENZ & LESLIE DISTRIBUTI 557.32
KRIZ DAVIS CO 41.72
LINWELD 11.70CR
LYMAN RICHEY SAND & GRAV 954.37
NEBRASKA PUBLIC POWER DI 91.72
PAYLESS OFFICE PRODUCTS 29.26
VERIZON WIRELESS 212.00

PUBLIC LIBRARY

BAKER & TAYLOR BOOKS 1,123.68
BLACK HILLS ENERGY 568.34
CENTER POINT LARGE PRINT 233.64
CHARTER BUSINESS 40.00
COMPUTERS TO GO 42.00
DELTA DENTAL PLAN 121.90

FIRST BANKCARD	926.02
GRAPEFIX COMMUNICATIONS	250.00
IKON OFFICE SOLUTIONS	397.71
NEBRASKA PUBLIC POWER DI	487.96
WINDSTREAM	217.24
PARK & RECREATION	
BLACK HILLS ENERGY	221.58
BOMGAARS SUPPLY	109.89
NEBRASKA PUBLIC POWER DI	76.77
VERIZON WIRELESS	53.00
CEMETERY	
DELTA DENTAL PLAN	51.00
NEBRASKA PUBLIC POWER DI	56.55
FIRE	
BLACK HILLS ENERGY	470.36
VERIZON WIRELESS	53.00
SENIOR CITIZEN CENTER	
BLACK HILLS ENERGY	277.25
IMPACT MANUFACTURING	44.28
STEUBE'S THRIFTWAY	118.92
UNITED STATES POST OFFIC	88.00
WINDSTREAM	117.13
COMMUNITY CENTER	
ADVANCED OFFICE AUTOMATI	73.59
AQUA CHEM INC	557.25
BETTINA MOSLEY	125.00
BLACK HILLS ENERGY	2,495.20
BOMGAARS SUPPLY	53.52
DELTA DENTAL PLAN	70.90
EGAN SUPLLY CO	465.50
FIRST BANKCARD	6.50
FOUR STAR LAUNDRY	19.17
GODFATHER'S	54.00
JEN RUDNICK	50.00
KRIZ DAVIS CO	64.28
MICHAEL ANZALONE	240.00
NEBRASKA DEPT OF HEALTH	40.00
RONNIE BECKWITH	50.00
ROXANNE DOLECKI	100.00
SAM'S	88.70
VERIZON WIRELESS	106.00

	WINDSTREAM	351.39
AQUATIC		
	BLACK HILLS ENERGY	17.60
DEBT SERVICE		
	PLATTSMOUTH STATE BANK	9,100.00
WATER		
	BOMGAARS SUPPLY	132.52
	DELTA DENTAL PLAN	130.60
	EGAN SUPPLY CO	262.60
	FIRST BANKCARD	9.52
	HAWKINS INC	309.50
	MARK HYDRAULIC CO INC	484.01
	MISSISSIPPI LIME COMPANY	3,375.00
	MUNICIPAL AUTOMATION & C	4,436.79
	NEBRASKA PUBLIC POWER DI	22.20
	VERIZON WIRELESS	106.00
SEWER		
	BLUE CROSS BLUE SHIELD	2,343.77
	CENTRAL UNITED LIFE INSU	196.62
	BOMGAARS SUPPLY	345.88
	DELTA DENTAL PLAN	153.00
	GENERAL FIRE & SAFETY	635.00
	HDR ENGINEERING INC	13,169.70
	IMPACT MANUFACTURING	79.18
	MUNICIPAL AUTOMATION & C	170.00
	VERIZON WIRELESS	53.00
CSO PROJECT (CLEAN WATER SRF)		
	ROYAL ROOTER	1,059.30
NEW WATER TOWER PROJECT (DWSRF)		
	HDR ENGINEERING INC	1,512.26
Total Claims		104,976.97
Total Salaries and Claims		196,322.45

ROLL CALL: Yes-Jenkins, Derby, Porter, Kerns, Bowman, Tilson and Wassinger. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED.

UNFINISHED BUSINESS

There was no Unfinished Business to discuss or take action on

NEW BUSINESS

ITEM 9 A (1)

Motion by Wassinger, seconded by Jenkins to adopt a resolution numbered and titled:

RESOLUTION NO. 10-006

BE IT RESOLVED AND ENACTED BY THE MAYOR AND COUNCIL OF THE CITY OF PLATTSMOUTH, NEBRASKA, as follows:

Section 1. That the following bonds, in accordance with their option provisions, are hereby called for payment on April 1, 2010, after which date interest on the bonds will cease:

General Obligation Highway Allocation Fund Pledge Bonds, Series 2003, dated June 9, 2003, in the total principal amount of \$790,000, numbered as they are shown on the books and records of the Paying Agent and Registrar, (issued for the purpose of paying the costs of constructing certain improvements to certain highways and road of the City) maturing in the principal amounts and bearing CUSIP numbers as follows:

<u>Principal</u>	<u>Maturity Date</u>	<u>CUSIP Number</u>
\$45,000	June 1, 2010	728092 BZ9
45,000	June 1, 2011	728092 CA3
45,000	June 1, 2012	728092 CB1
50,000	June 1, 2013	728092 CC9
50,000	June 1, 2014	728092 CD7
50,000	June 1, 2015	728092 CE5
55,000	June 1, 2016	728092 CF2
55,000	June 1, 2017	728092 CG0
60,000	June 1, 2018	728092 CH8
60,000	June 1, 2019	728092 CJ4
65,000	June 1, 2020	728092 CK1
65,000	June 1, 2021	728092 CL9
70,000	June 1, 2022	728092 CM7
75,000	June 1, 2023	728092 CN5

Section 2. These bonds are to be paid at the principal corporate trust office of Wells Fargo Bank, National Association, as Paying Agent and Registrar located in Lincoln, Nebraska.

Section 3. A true copy of this Resolution shall be filed by the City Clerk with the Paying Agent at least thirty (30) days prior to call date and the City Treasurer is hereby instructed to take appropriate action to mail notice to registered owners at least thirty (30) days prior to the call date.

PASSED AND APPROVED this ____ day of _____, 2010.

ATTEST:

/s/R Paul Lambert, Mayor

/s/ Sandra J. Meyer, City Clerk

(S E A L)

City Attorney Roger Johnson read Resolution No. 10-006 in to the record. ROLL CALL: Yes-Bowman, Tilson, Wassinger, Jenkins, Derby, Porter and Kerns. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED.

ITEM 9 A (2)

Council Member Bowman introduced an ordinance numbered and titled as follows: Ordinance No. 1799: AN ORDINANCE PROVIDING FOR THE ISSUANCE OF HIGHWAY ALLOCATION REFUNDING BONDS, SERIES 2010, IN THE AMOUNT OF EIGHT HUNDRED FIVE THOUSAND DOLLARS (\$805,000) FOR THE PAYMENT OF CERTAIN OUTSTANDING BONDS OF THE CITY OF PLATTSMOUTH, NEBRASKA; PRESCRIBING THE FORM OF SAID BONDS; PLEDGING FUNDS TO BE RECEIVED BY THE CITY FROM THE STATE OF NEBRASKA HIGHWAY ALLOCATION FUND; AGREEING TO LEVY TAXES; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM. Motion by Bowman, seconded by Tilson that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1799 be adopted on first reading by title only. ROLL CALL: Yes-Wassinger, Jenkins, Derby, Porter, Kerns, Bowman and Tilson. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED. Said ordinance was read by title only and thereafter Bowman moved for final passage of the ordinance, which motion was seconded by Jenkins. ROLL CALL: Yes-Wassinger, Jenkins, Derby, Porter, Kerns, Bowman and Tilson. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED. Said ordinance was read in to the record by title only.

ITEM 9 A (3)

Council Member Derby introduced an ordinance numbered and titled as follows: Ordinance No. 1800: AN ORDINANCE PROVIDING FOR THE ISSUANCE OF STREET IMPROVEMENT BOND ANTICIPATION NOTES, SERIES 2010, IN THE PRINCIPAL AMOUNT OF ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000) FOR THE PURPOSE OF PAYING THE COSTS OF CONSTRUCTING PAVING IMPROVEMENT IN THE CITY OF PLATTSMOUTH, NEBRASKA; PROVIDING FOR A PAYING AGENT AND REGISTRAR OF THE NOTES; AGREEING TO ISSUE BONDS OR OTHER OBLIGATIONS TO PAY THE NOTES AND ACCRUED INTEREST AT MATURITY AND ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

Motion by Derby, seconded by Wassinger that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1800 be adopted on first reading by title only. ROLL CALL: Yes-Tilson, Wassinger, Jenkins, Porter, Derby, Kerns and Bowman. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED. Said ordinance was read by title only and thereafter Kerns moved for final passage of the ordinance, which motion was seconded by Jenkins. ROLL CALL: Yes-Derby, Porter, Kerns, Bowman, Tilson, Wassinger and Jenkins. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED. Said ordinance was read in to the record by title only.

ITEM 9 B

City Administrator Erv Portis stated that the City's Comprehensive development plan was adopted in 2004 and refers to pre-1991 housing data. Without current analysis of the broad range of housing conditions, needs, challenges and opportunities we do not have a comprehensive community-based strategy. There is a need for a current Housing Market Study and this study will be 100% funded out of Housing Reuse Funds. Motion by Wassinger, seconded by Jenkins to approve the Professional Service/Consultant Agreement with RDG Inc. to conduct a Housing Market Study with Strategies for Affordable Housing at a cost not to exceed \$14,000.00. ROLL CALL: Yes-Porter, Kerns, Bowman, Tilson, Wassinger, Jenkins and Derby. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED.

ITEM 9 C

Motion by Bowman, seconded by Jenkins to adopt a resolution numbered and titled:

City of Plattsmouth RESOLUTION NO. 10-007

R E S O L U T I O N

WHEREAS, there has been signed by the City of Plattsmouth on the 17th day of November, 2008, and the State on the 4th day of February, 2009, an agreement providing for the construction of a Federal Aid Project at the following location: 15th Street from Avenue "A" to "C".

, and

WHEREAS, in the above agreement, the City has pledged sufficient funds to finance its share of the cost of the construction of this project identified as URB-6403(2), and

WHEREAS, the above mentioned agreement provided that the City would pay costs as set forth in the agreement, and

WHEREAS, the State and the City received bids for the construction of this project on February 18, 2010, at which time three bids were received for the construction of the proposed work, and

WHEREAS, the following contractor(s) has been selected as the low bidder to whom the contract(s) should be awarded:

U.S. Asphalt Co., Omaha, NE

Bituminous: \$111,178.26

NOW THEREFORE, in consideration of the above facts, the City Council of the City of Plattsmouth, by this resolution, takes the following official action:

1. The Council hereby concurs in the selection of the above mentioned contractor(s) to whom the contract(s) should be awarded.
2. The Council does not desire to perform any of the work with its own forces in lieu of performing the work by the contract method.
3. The Council hereby authorizes the Mayor and the City Clerk of Plattsmouth to sign the construction contract on behalf of said City.

DATED THIS 1st DAY OF March 2010, A.D.

ATTEST:

Sandra J. Meyer
City Clerk

CITY OF PLATTSMOUTH
R. Paul Santora
Mayor

Council Member Mike Bowman

Moved the adoption of said resolution.

Roll Call: 7 yea, 0 nay.

Resolution adopted, signed and billed as adopted.

CON1-PN

City Attorney Roger Johnson read Resolution No. 10-007 in to the record. ROLL CALL: Yes-Wassinger, Jenkins, Derby, Porter, Kerns, Bowman and Tilson. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED

ITEM 9 D

Motion by Wassinger, seconded by Porter to adopt a resolution numbered and titled:

City of Plattsmouth RESOLUTION NO. 10-008

R E S O L U T I O N

WHEREAS, there has been signed by the City of Plattsmouth on the 17th day of November, 2008, and the State on the 4th day of February, 2009, an agreement providing for the construction of a Federal Aid Project at the following location: 15th Street from 1st Avenue to Main Street.

, and

WHEREAS, in the above agreement, the City has pledged sufficient funds to finance its share of the cost of the construction of this project identified as URB-6403(3), and

WHEREAS, the above mentioned agreement provided that the City would pay costs as set forth in the agreement, and

WHEREAS, the State and the City received bids for the construction of this project on February 18, 2010, at which time ten bids were received for the construction of the proposed work, and

WHEREAS, the following contractor(s) has been selected as the low bidder to whom the contract(s) should be awarded:

Omni Engineering, Inc. and Subsidiaries, Omaha, NE

Concrete Pavement: \$64,192.56

NOW THEREFORE, in consideration of the above facts, the City Council of the City of Plattsmouth, by this resolution, takes the following official action:

1. The Council hereby concurs in the selection of the above mentioned contractor(s) to whom the contract(s) should be awarded.
2. The Council does not desire to perform any of the work with its own forces in lieu of performing the work by the contract method.
3. The Council hereby authorizes the Mayor and the City Clerk of Plattsmouth to sign the construction contract on behalf of said City.

DATED THIS 1st DAY OF March 2010, A.D.

ATTEST:

Sandra J. Meyer
City Clerk

CITY OF PLATTSMOUTH
R. Paul Jenkins
Mayor

Council Member Ruth Wassinger

Moved the adoption of said resolution.

Roll Call: 7 yea, 0 nay.

Resolution adopted, signed and billed as adopted.

CON1-PN

City Attorney Roger Johnson read Resolution No. 10-008 in to the record. ROLL CALL: Yes-Jenkins, Derby, Porter, Kerns, Bowman, Tilson and Wassinger. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED.

ITEM 9 E

Motion by Jenkins, seconded by Wassinger to approve the submittal of a grant application in the amount of \$16,000.00 to the Cass County Visitors Improvement Fund for the purpose of demolishing an existing restroom building and building a new ADA compliant restroom at Memorial Park. ROLL CALL: Yes-Bowman, Tilson, Wassinger, Jenkins, Derby, Porter and Kerns. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED.

ITEM 9 F

Council Member Bowman introduced an ordinance numbered and titled as follows: Ordinance No. 1801: **AN ORDINANCE OF THE CITY OF PLATTSMOUTH, NEBRASKA TO ESTABLISH FEES FOR CITY SERVICES; TO REPEAL ALL ORDINANCES AND RESOLUTIONS IN CONFLICT; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM; AND TO PROVIDE AN EFFECTIVE DATE.** Motion by Bowman, seconded by Jenkins that the statutory rule requiring reading an ordinance on three different days be suspended and that Ordinance No. 1801 be adopted on first reading by title only. ROLL CALL: Yes-Kerns, Bowman, Tilson, Wassinger, Jenkins, Derby and Porter. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED. Said ordinance was read by title only and thereafter Jenkins moved for final passage of the ordinance, which motion was seconded by Wassinger. ROLL CALL: Yes-Derby, Porter, Kerns, Bowman, Tilson, Wassinger and Jenkins. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED. Said ordinance was read in to the record by title only.

ITEM 10-STREETS AND ALLEYS

There was nothing to discuss for Streets and Alleys.

ITEM 11-EXECUTIVE SESSION FOR LEGAL ISSUES

Mayor Lambert indicated the need for the council to go in to Executive Session to protect the public interest with regard to discussing contract negotiations with the Board of the Plattsmouth Rural Fire District regarding an Interlocal Agreement. 7:33 p.m. Motion by Jenkins, seconded by Tilson to convene to Executive Session to protect the public interest with regard to discussing contract negotiations with the Board of the Plattsmouth Rural Fire District regarding an Interlocal Agreement. ROLL CALL: Yes-Porter, Kerns, Bowman, Tilson, Wassinger, Jenkins and Derby. No-None. Absent-Tesarek. Abstain-None. MOTION CARRIED. Mayor Lambert again stated that the Executive Session was to protect the public interest with regard to discussing contract negotiations with the Board of the Plattsmouth Rural Fire District regarding an Interlocal Agreement.

7:52 p.m. Motion by Derby, seconded by Tilson to reconvene in to regular session. On a voice vote MOTION CARRIED.

The Council had discussion concerning the proposed Interlocal Agreement with the Board of the Plattsmouth Rural Fire District.

ITEM 14

8:14 p.m. Motion by Jenkins, seconded by Tilson to adjourn. MOTION CARRIED.

/s/R. Paul Lambert, Mayor

ATTEST:

/s/Sandra J. Meyer, City Clerk